

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WHITSEL et al.)
Application No.:) Group Art Unit: n/a
Filed: September 18, 2003) Examiner: n/a
For: IMPROVED MANURE SEPARATOR

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

The following are included with this Information Disclosure Statement:

[X] A. PTO/SB/08

[] B. CERTIFICATION
(37 C.F.R. 1.97(c)-before final Office Action or allowance)

[] C. \$180.00 FEE PAYMENT
(37 C.F.R. 1.97(c)-before final Office Action or allowance)

**[] D. \$180.00 PETITION, CERTIFICATION & PETITION FEE
PAYMENT**
(37 C.F.R. 1.97(d)-before issue fee payment)

The following are submitted in the above-identified application in compliance with
37 CFR 1.98:

- [] I.** A copy of each listed U.S. Patent and U.S. Patent application publication
[1.98(a)(2)(i)].
- [] II.** A copy of each listed foreign patent and/or published foreign patent
application [1.98(a)(2)]:
 - []** a) the English language version or an English translation if not
published in English, if available (see PTO-1449)[1.98(a)(3)];
and/or

- ☐ (b) U.S. counterpart patents or English language equivalents of the foreign patents or published foreign patent applications (see PTO-1449); and/or
- ☐ (c) a concise explanation of the relevance of the listed patents, publications or other information (see PTO-1449, foreign search report or other, attached), as it is presently understood by the person signing this disclosure, since no English translation is currently available[1.98(a)(3)].
- ☐ III. A copy of each listed publication, other than published foreign applications. For each listed publication [1.98(a)(2)]:
 - ☐ (a) an English translation, if available, when the original publication is not in the English language (see PTO-1449)[1.98(a)(3)];
 - ☐ (b) a concise explanation of the listed publications (see PTO-1449), as it is presently understood by the person signing this disclosure, since no English translation is currently available [1.98(a)(3)].
- ☐ IV. For any other listed information, a copy of the information or that portion which caused it to be listed (see PTO-1449)[1.98(a)(2)(iii)].
- ☐ V. Each listed U.S. Patent, Publication or other information that was previously cited by or submitted to the Office in a prior application, which application is relied upon for an earlier filing date under 35 U.S.C. § 120 [1.98(d)].
- ☒ VI. Copies of each listed U.S. Patent and U.S. Patent application publication are not being submitted herewith pursuant to a waiver of 37 CFR 1.98(a)(2)(i) by the USPTO on July 11, 2003 for applications filed after June 30, 2003.

This information is submitted in the above-identified application in compliance with 37 C.F.R.1.97 because:

- ☒ 1. This information disclosure is submitted within three months of the filing date of the application, or before the mailing date of the first office action on the merits of the application [1.97(b)].
- ☐ 2. This information disclosure is submitted before the mailing date of a final action in this application under 1.113[1.97(c)] and the requisite statement or fee is provided (see items 6 or 7 below).
- ☐ 3. This information disclosure is submitted before the mailing date of a notice of allowance under 1.311 [1.97(c)] and the requisite statement or fee is provided (see items 6 or 7 below).

- ☐ 4. This information disclosure is submitted after the mailing date of a final action under 1.113 [1.97(d)] and the requisite statement and fee is provided (see items 6 and 8 below).
- ☐ 5. This information disclosure is submitted after the mailing date of a notice of allowance under 1.311, but before the payment of the issue fee [1.97(d)] and the requisite statement and fee is provided (see items 6 and 8 below).
- ☐ 6. This information disclosure statement is submitted with the statement required for items 2, 3, 4 or 5 above [1.97(c), (d), (e)]:
- ☐ **I, K. Scott O'Brian, hereby state the following:**
- ☐ **Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.**
- ☐ **No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this information disclosure was known to any individual designated in 1.56(c) more than three months prior to the filing of this information disclosure statement.**
- ☐ 7. This information disclosure statement is submitted with the fee of \$180 set forth in 1.17(p) [see items 2 and 3 above]. Please charge this fee and any other fees associated with this application to Deposit Account No. 50-1059. (Please note, no fee is required for items 2 and 3 above if the Item 6 statement is provided).
- ☐ 8. Please charge this fee and any other fees associated with this application to Deposit Account No. 50-1059.

Respectfully submitted,



K. Scott O'Brian
Reg. No. 42,946

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	1
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Application Number	
Filing Date	September 18, 2003
First Named Inventor	WHITSEL et al.
Group Art Unit	n/a
Examiner Name	n/a
Attorney Docket Number	21012-0002

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	A	US-6,227,379 B1	05-08-2001	Nesseth	
	B	US- 6,136,191	10-24-2000	Gribble et al.	
	C	US- 6,030,532	02-29-2000	Racine	
	D	US- 5,268,100	12-07-1993	Hartzell	
	E	US- 4,915,671	04-10-1990	Johnson	
	F	US- 4,896,835	01-30-1990	Fahrenheit	
	G	US- 4,666,602	05-19-1987	Hartzell	
	H	US- 4,485,013	11-27-1984	Cockman	
	I	US- 4,426,289	01-17-1984	Svehaug	
	J	US- 4,424,129	01-03-1984	Bunger	
	K	US- 4,376,044	03-08-1983	Ditzenberger	
	L	US- 4,298,473	11-03-1981	Wyman	
	M	US- 4,054,381	10-18-1977	Bernhard	
	N	US- 4,042,511	08-16-1977	Ginaven	
	O	US- 3,971,720	07-27-1976	Swanson et al.	
	P	US- 3,959,135	05-25-1976	Shattock	
	Q	US- 3,955,536	05-11-1976	Bunger	
	R	US- 3,864,255	02-04-1975	Swanson	
	S	US- RE-34,458	11-30-1993	Fahrenheit	
		US-			

[illegible]Date
Considered

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.